

INTRODUCED: 06/05/2017

REFERRED TO: Public Works Committee

SPONSOR: Councillor Fanning

DIGEST: approves the purchase of certain real estate by the Department of Public Works for the construction of the Indianapolis River Park East Addition Storm Water Improvements Project, which property is owned by Colonial Hills Baptist Church, Inc.

SOURCE:

Initiated by: Department of Public Works

Drafted by: Office of Corporation Counsel

LEGAL REQUIREMENTS FOR ADOPTION:

Subject to approval or veto by Mayor

PROPOSED EFFECTIVE DATE:

Adoption and approvals

GENERAL COUNSEL APPROVAL: _____

Date: June 1, 2017

CITY-COUNTY GENERAL RESOLUTION NO. , 2017

PROPOSAL FOR A GENERAL RESOLUTION establishing that the City-County Council of the City of Indianapolis and Marion County, Indiana, is interested in making the purchase of specified land.

WHEREAS, the City-County Council of the City of Indianapolis and Marion County, Indiana ("City-County Council") is the fiscal body of the City of Indianapolis pursuant to IC 36-1-2-6; and

WHEREAS, pursuant to IC 36-1-10.5-1, et seq., the City of Indianapolis may purchase land for a total price exceeding twenty-five thousand dollars (\$25,000) only after the City-County Council, as the fiscal body, passes a resolution to the effect that the it is interested in making a purchase of specified land; and

WHEREAS, the City of Indianapolis wishes to purchase a permanent easement on the real estate described in Exhibit "A" and depicted in Exhibit "B", each of which are attached hereto and incorporated herein ("Real Estate"); and

WHEREAS, acquisition of the Real Estate is needed for the construction of the Indianapolis River Park East Addition Storm Water Improvements Project, Department of Public Works Project Number SD-00-045B; and

WHEREAS, the City-County Council, having considered the acquisition of the Real Estate and being duly advised, finds that the City-County Council has an interest in acquiring the Real Estate; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby establishes that it has an interest in acquiring the Real Estate described in Exhibit "A" and depicted in Exhibit "B" (copies of which are attached to the official copy of the resolution on file with the Clerk of the Council).

SECTION 2. For purposes of Revised Code Sec. 151-66, the Real Estate is owned by Colonial Hills Baptist Church, Inc.

SECTION 3. The Department of Public Works is directed to appoint two (2) appraisers to appraise the fair market value of the Real Estate and to provide a copy of both appraisals to the Chair of the Public Works Committee of the City-County-Council.

SECTION 4. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

The foregoing was passed by the City-County Council this _____ day of _____, 2017, at _____ p.m.

ATTEST:

Maggie A. Lewis
President, City-County Council

NaTrina DeBow
Clerk, City-County Council

Presented by me to the Mayor this _____ day of _____, 2017, at 10:00 a.m.

NaTrina DeBow
Clerk, City-County Council

Approved and signed by me this _____ day of _____, 2017.

Joseph H. Hogsett, Mayor

EXHIBIT "A"
REAL ESTATE DESCRIPTION

Sheet 1 of 1

Project: River Park East: Idlewood
Project No: SD-00-045B
Parcel No: 1 Permanent Easement

The South 30 feet of the following described real estate:

Part of the North Half of the Southwest Quarter of Section 19, Township 17 North, Range 4 East and part of the North Half of the Southeast Quarter of Section 19, Township 17 North, Range 4 East in Marion County, Indiana, more particularly described as follows:

Beginning at the Northeast corner of the North half of the Southwest Quarter of Section 19, Township 17 North, Range 4 East, thence South 00 degrees 15 minutes 29 seconds West (assumed bearing) on and along the East line of said North Half 114.75 feet to the centerline of Union Chapel Road; thence South 54 degrees 41 minutes 29 seconds West on and along said centerline 121.35 feet deed (122.96 feet measured) to a point 100.00 feet West of said East line; thence South 00 degrees 15 minutes 29 seconds West parallel with said East line 342.34 feet deed (343.49 feet measured); thence South 89 degrees 53 minutes 33 seconds East parallel with the North line of said North Half 424 feet, more or less, to the low water line of the White River; thence Southerly on and along the meanderings of the low water line of said White River to the South line of the North Half of the Southeast Quarter of said Section 19; thence Westerly on and along said South line 254 feet, more or less, to the Southeast corner of the North Half of said Southwest Quarter; thence South 89 degrees 55 minutes 35 seconds West on and along the South line of the North Half of said Southwest Quarter 894.12 feet; thence North 00 degrees 04 minutes 25 seconds West 0.42 feet to the beginning of the approach right-of-way for Union Chapel Road; thence North 49 degrees 54 minutes 17 seconds West on and along said approach right-of-way 130.80 feet to the East right-of-way of said Union Chapel Road, said point being 25.00 feet East of Line "P.R. No. 4 for I.S.H.C. Project U.S. 165 (9) dated 1959; thence North 00 degrees 02 minutes 00 seconds West on and along said East right-of-way 190.10 feet to the point of curvature of a curve to the right, having a radius of 276.65 feet, the radius point which bears North 89 degrees 58 minutes 00 seconds East from said point; thence Northeasterly on and along said curve in said right-of-way 192.50 feet to a point which is North 50 degrees 09 minutes 10 seconds West from said Radius point; thence North 44 degrees 38 minutes 44 seconds East on and along said right-of-way 46.26 feet; thence North 40 degrees 33 minutes 30 seconds West 41.50 feet to the Northerly right-of-way of said Union Chapel Road; thence South 49 degrees 33 minutes 51 seconds West on and along said right-of-way 219.88 feet to a point on the Easterly right-of-way of Indiana State Road 431, said point on a curve having a radius of 2171.83 feet, the radius point of which bears South 81 degrees 44 minutes 07 seconds East from said point, thence Northeasterly on and along said curve in said right-of-way to the right 965.88 feet to a point which is North 56 degrees 15 minutes 15 seconds West from the radius point; thence North 31 degrees 58 minutes 52 seconds East on and along said right-of-way 66.68 feet to the North line of the North half of said Southwest Quarter; thence South 89 degrees 53 minutes 33 seconds East on and along said North line 719.16 feet to the place of beginning.

Said South 30 feet contains 0.798 acres, more or less, and lies North of and adjoining to the existing North boundary of 80th Street.

EXHIBIT "B"
REAL ESTATE DEPICTION

